JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, South Carolina 29403-5107 and the

S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

3 OCTOBER 2008

Refer to: P/N #SAC-2008-1870-2IG

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

SEABROOK ISLAND PROPERTY OWNERS ASSOCIATION C/O TIM KANA COASTAL SCIENCE & ENGINEERING POST OFFICE BOX 8056 COLUMBIA, SOUTH CAROLINA 29202-8056

for a permit to perform excavation and place fill to relocate

CAPTAIN SAMS INLET

at a location, Captain Sams Inlet, Seabrook Island, Charleston County, South Carolina. (Latitude 32°34.8′ – Longitude -80°8.6′)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, NOVEMBER 3, 2008

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the relocation of Captain Sams Inlet from its existing position to its 1963/1983/1996 position. The proposed relocation will involve excavation of a basin for the new channel and construction of a sand closure dike across the existing inlet. The basin dimensions will be approx. 1,400 feet long, 300 feet wide and 15 feet deep. The sand dike will be approx 2,250 feet long by 150-200 feet wide by 10 feet high. The proposed work is further described in much greater detail in the attached narrative. All work will be performed using land based equipment during winter months or an alternate period specified by federal and state resource agencies. The purpose of the proposed work as stated by the applicant is erosion control and maintenance of a sediment supply to Seabrook Island.

REGULATORY DIVISION

Refer to: P/N #SAC-2008-1870-2IG

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Avenue Charleston, South Carolina 29403-5107

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 54.1 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action may have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project is likely to adversely affect the Loggerhead sea turtle *Caretta caretta* and the Piping plover *Charadrius melodus* and/or is likely to adversely affect designated critical habitat for the Piping plover *Charadrius melodus*. This public notice serves as a request to the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service to initiate formal consultation on these species and/or critical habitat that may be present in the area which would be affected, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended). A biological assessment (or other similar document) detailing our analysis of the effects of the action will be provided.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

REGULATORY DIVISION Refer to: P/N #SAC-2008-1870-2IG

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Mary Hope Glenn at 843-329-8044 or toll free at 1-866-329-8187.

11. DESCRIPTION OF THE OVERALL PROJECT AND OF EACH ACTIVITY IN OR AFFECTING U.S. WATERS OR STATE CRITICAL AREAS

The proposed activity involves the relocation of Captain Sams Inlet from its existing position to its 1963/1983/1996 position through Kiawah spit between Kiawah Island and Seabrook Island, South Carolina (Sheet 01). The relocation will involve excavations of a basin for the new channel and construction of a sand closure dike across the existing inlet (Sheet 02). All work will be performed via land-based equipment during winter months or an alternate period specified by federal and state resource agencies. The project will follow the same general design and construction methodology as the 1983 and 1996 relocations of Captain Sams Inlet (permits P/N 81-4C-192 and P/N 95-1W-305-P).

A channel basin with dimensions ~1,400 feet (ft) long, 300 ft wide, and 15 ft deep will be excavated in-the-dry across Kiawah spit (Sheets 03–05). Excavations will parallel the Seabrook/Kiawah town line with the limit of work positioned at least 50 ft west of the jurisdictional boundary (ie, fully on the Seabrook side of the town line). Sills will be left at either end of the basin to keep out tidal waters until the time of opening. The excavation will be dewatered during construction to allow work to progress in-the-dry. Excavations will be loaded onto off-road vehicles and will be transported to the closure dike area. The loads of sand will be shaped by bulldozers into a sand dike having approximate dimensions 2,250 ft long by 150–200 ft wide (at the crest) by 10 ft high (relative to NAVD'88 vertical datum) (Sheets 04–05). Detailed drawings of the channel basin, closure dike plan, and sections are given in Sheets 06–09.

The dike construction will proceed from north to south. Upon reaching the edge of the channel of the existing inlet, a certain quantity of sand will be stockpiled on the Kiawah side of the channel for use in the final closure sequence. A similar stockpile of sand will be constructed within the footprint of the proposed closure dike on the Seabrook side of the channel. Sand for the Seabrook stockpile will be obtained from intertidal bars within Area C (~1,500 ft by 250 ft) shown on Sheet 04. Excavations over Area C will be limited to shallow cuts typically no more than 2.5 ft deep.

The new channel will be established during a single tide by excavating the remaining sill at the seaward end of Basin A during a falling tide. The subsequent rising tide will overtop the sill and flood the basin. Near the time of high tide, a pilot channel will be excavated through the sill at the landward end of Basin A. Tidal flows will complete the excavation of the channel during succeeding tides. Dozers will push down any remaining mounds in the vicinity of Basin A. The channel basin area will then be left to adjust naturally. At this point in time, there will be two inlets.

Several days after the new inlet is created, the existing channel will be closed on a falling tide by pushing stockpiled sand into the channel. Following closure of the existing channel around the time of low tide, the closure dike will be built to its final design dimensions. Excavations and filling will terminate upon completion of the dike. All equipment and supplies will be removed from the site and some native/salt-tolerant vegetation will be planted over the dike.

Except as noted in Section 12, the construction sequence and method is the same as was used in the 1983 and 1996 inlet relocation projects. Relocation of the inlet is expected to require no more than 60 days from start to completion. The total volume of sand to be excavated and used for dike construction will be no more than 290,000 cy. The channel basin will encompass ~10.9 acres of land

SAC 2008-1870- ZIG

above mean high water. The closure dike will encompass ~34.6 acres of existing high ground, intertidal sand flats, and subtidal channel area. Shoal borrow Area C will encompass up to 8.6 acres of exposed intertidal sand bars.

The new inlet and abandoned old inlet will be left to adjust naturally upon completion of the closure dike. The applicant will continue to monitor the shoreline around the inlet each year for a period of five years and will provide reports of physical changes along the Kiawah spit and Seabrook Island ocean shoreline.

12. OVERALL PROJECT PURPOSE AND THE BASIC PURPOSE OF EACH ACTIVITY IN OR AFFECTING U.S. WATERS

The overall purpose of the project is erosion control and maintenance of a sediment supply to Seabrook Island.

Migration of Captain Sams Inlet causes direct encroachment along the northeast end of Seabrook Island. As the inlet approaches Seabrook Island, its ebb-tidal delta also causes focused erosion between the inlet and Renken Point (see enclosed memorandum Attachment A dated 13 August 2008 from Kana to Wells).

The 1983 and 1996 inlet relocation projects demonstrated how sand bars in the abandoned inlet migrate onshore and downcoast after the inlet is moved to an updrift location. These projects have allowed Seabrook to restore a dry-sand beach and dune habitat along a formerly armored shoreline.

Periodic inlet relocation is a key element of the Local Beach Management Plan for the Town of Seabrook Island (SI-BMP 1991, pgs 19–20). The Town of Seabrook Island has established an Inlet Management Zone in the project area for purposes of maintaining natural habitats, executing inlet relocation every ~15 years±, and safeguarding the area from development.

Studies of the Kiawah Island shoreline have shown that inlet relocation does not adversely impact Kiawah's beach because the ultimate sediment supply for Kiawah is derived from Stono Inlet (see CSE 1999, Updated Shoreline Assessment and Condition of the Beach: Kiawah Island South Carolina; excerpted in Attachment B). Seabrook Island has established a conservation zone between the town line across Kiawah spit and the former location of the inlet in 1982 (adjacent to existing development). This ~1 mile section of coast has developed extensive salt marsh, tidal ponds, and dunes which evolved in a relatively short period of time after the 1983 inlet relocation project (P/N 81-4C-192). A goal of the proposed project is to maintain as much of the critical habitat as possible on the downcoast side of the channel. If the inlet is not relocated, ~4 acres of salt marsh, sheltered tidal flats, and dune habitat will be lost each year on the Seabrook side of the channel due to inlet migration.

The proposed plan differs from the 1996 inlet relocation project (P/N 95-1W-305-P) because it will not include postproject sand scraping and shaping of accreting shoals or transfer of sand from the abandoned inlet shoals to downcoast areas of Seabrook. The applicant met with resource agency officials and discussed an early plan which included postproject sand scraping. At the request of SCDNR and USFWS, this aspect of the early plan was eliminated.

The applicant understands that the proposed activity is situated within a recently designated (circa 2002) critical piping plover habitat. Therefore, the applicant proposes to perform construction activities during periods recommended by state and federal resource agencies so as to avoid contact with sensitive species. Certain impacts of excavation and filling are unavoidable in projects such as this. The applicant proposes to perform inlet relocation on a similar schedule as the previous projects (ie, 15± years between channel relocations). This is consistent with the Local Beach Management Plan.

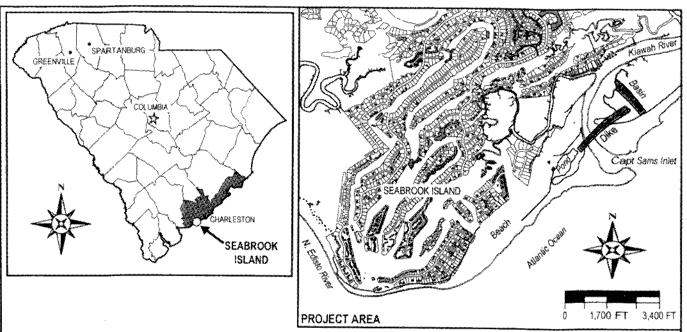
SAC 2008-1870-ZIG

Discharges of fine sediment into natural waters will be minimized in the following way:

- 1) Excavations will be in recently deposited littoral sand that infilled the 1996 channel. The channel basin is a high energy zone where significant concentrations of mud do not accumulate.
- 2) Nearly all excavations will be accomplished in-the-dry and transported by truck to the fill area. No water-sand slurries will be involved.
- Turbidity will be minimized by the very low to negligible mud content in the excavations. Over 99 percent of the sediment will consist of sand-sized particles which settle rapidly.
- 4) The inlet breaching sequence will be isolated from Kiawah River until the time of high tide when a pilot channel is excavated at the landward end of the basin. Ebb tides will flush sediment seaward as the new inlet is formed.
- 5) The inlet closure sequence will occur on a falling tide and tend to prevent elevated sand concentrations from moving upstream toward marsh environments.

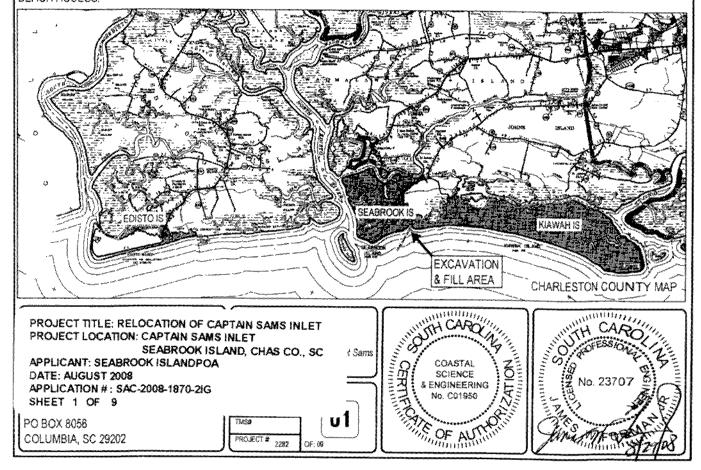
The 1983 relocation of Captain Sams Inlet has been recognized by the National Academy of Sciences (NRC 1994) as an "environmentally sensitive and cost effective . . ." erosion control solution. The project demonstrated ". . . the benefits of combing fundamental research on coastal processes with coastal engineering practices." (pp 143-144). The proposed project is intended to repeat this previous success so as to reduce the possibility of downcoast erosion, re-exposure of seawalls, and loss of beach and dune habitat along Seabrook Island.

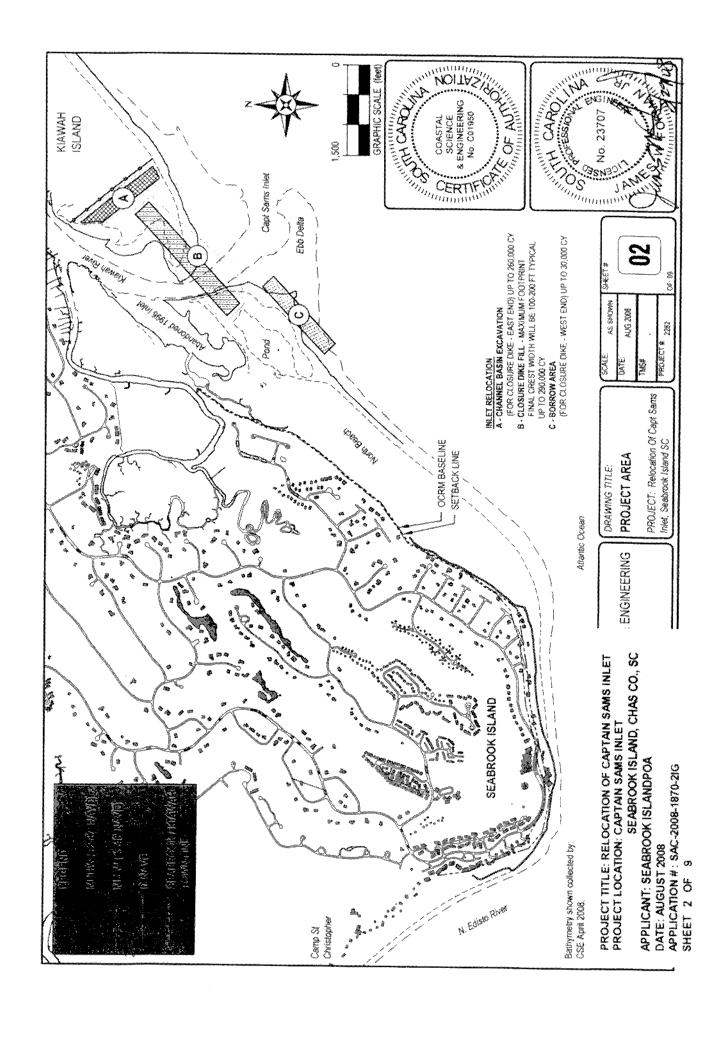
NRC. 1994. Restoring and Protecting Marine Habitat. National Research Council, National Academy Press, Washington, D.C., 193 pp.

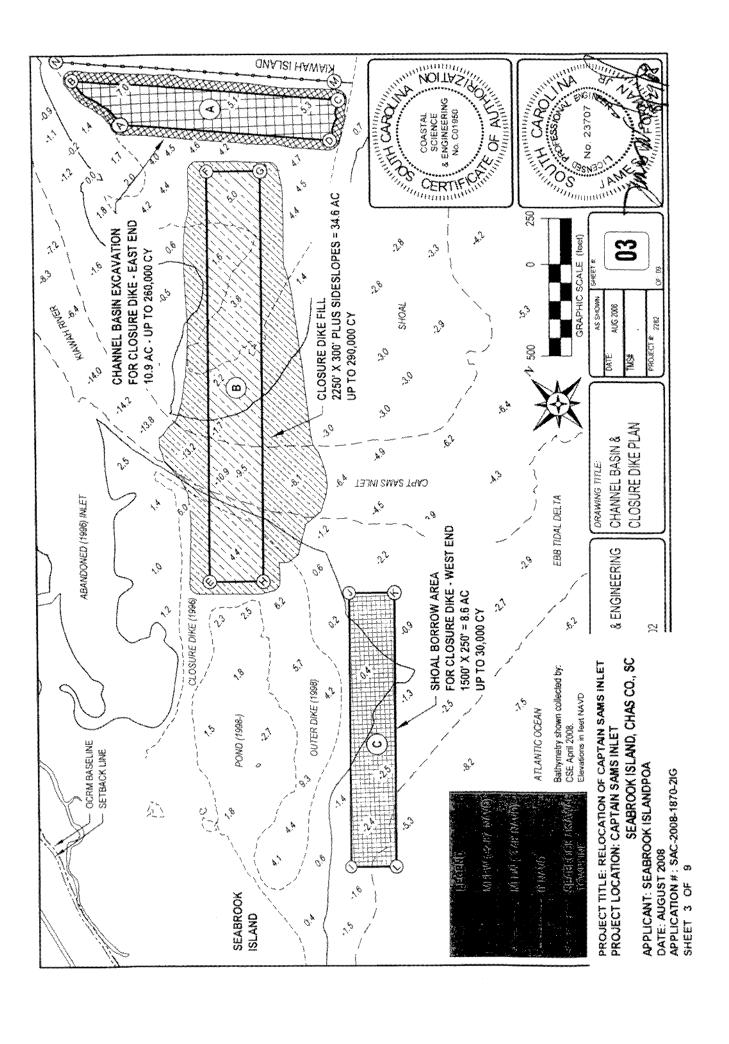


DIRECTIONS:

TAKE HWY 17 SOUTH FROM CHARLESTON TO BOHICKET ROAD (MAIN RD). TURN LEFT AND GO ~20 MI. TO THE GUARD GATE AT SEABROOK ISLAND. PROCEED INSIDE THE GATE ALONG SEABROOK IS RD FOR ABOUT 4 MI. TO OYSTERCATCHER RD. TURN RIGHT ON OYSTERCATCHER ROAD AND PROCEED ABOUT 500 YARDS TO BEACH ACCESS PARKING AREA. PARK AND WALK ~2,000 FT ALONG THE BOARDWALK TO THE BEACH. PROJECT AREA EXTENDS FROM ~1500 FT TO 5000 FT NORTH(EAST) OF THE BEACH ACCESS.







NOTE: COORDINATES MARK THE EXCAVATION / FILL LIMITS AT THE BASE / CREST. SIDESLOPES TO EXISTING

GRADE WILL BE AS FOLLOWS:

A - 1 ON 3

B - SEE SHEET 09

C - NOT APPLICABLE

A - CHANNEL BASIN					
Syst	em: SPCS 1983 Zone:	SC 3900 Datum: NAD 1983 (FT)			
POINT	NORTHING	EASTING			
Α	272,728.937	2,263,292.319			
В	273,086.593	2,263,295.361			
С	271,932.680	2,264,213.047			
D	271,817.155	2,264,017.444			

B - CLOSURE DIKE				
POINT	NORTHING	EASTING		
£	270,667.839	2,261,782.710		
;	272,206.398	2,263,424.459		
G	271,987.498	2,263,629.600		
Н	270,448.940	2,261,987.851		

IMPACT AREAS LISTED ON THE DRAWINGS INCLUDE SIDE SLOPES OF BASINS AND FILL SECTIONS AS APPLICABLE

C - BORROW AREA				
POINT	NORTHING	EASTING		
1	269,032.653	2,261,171.219		
J	270,058.358	2,262,265.718		
K	269,875.942	2,262,436.669		
L	268,850.236	2,261,342.170		

OTHER BOUNDARIES - SEABROOK / KIAWAH TOWN LINE				
POINT	NORTHING	EASTING		
М	272,017.395	2,264,274.565		
N	273,222.223	2,263,316.579		

APPLICANT:

SEABROOK ISLAND POA 1202 LANDFALL WAY JOHNS ISLAND SC 29455 DRAWING TITLE:
PROJECT

AREAS A - C COORDINATE CHART

PROJECT TITLE: RELOCATION OF CAPTAIN SAMS INLET PROJECT LOCATION: CAPTAIN SAMS INLET

SEABROOK ISLAND, CHAS CO., SC

APPLICANT: SEABROOK ISLANDPOA DATE: AUGUST 2008

APPLICATION #: SAC-2008-1870-2IG

SHEET 4 OF 9

